

MT LEGISLATIVE HISTORY

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Chapter 42 1985

Bill H 194 S _____

Original bill & hist. ☒ C

H. Committee on Ed & Cultural Resources

S. Committee on Ed & Cult. Resources

Hearing Date(s) _____ C

Hearing Date(s) _____ C

_____ C

_____ C

1/21 ☒ C

2/11 ☒ C

_____ C

_____ C

Date Out 1/21 ☒ C

2/11 ☒ C

Did this bill originate in an interim committee? ☐ Yes ☐ No

Committee _____

Report _____

HOUSE BILL NO. 194

INTRODUCED BY KOEHNKE, ZABROCKI, DARKO, ELLISON, CAMPBELL,
HANSON, KADAS, HANSEN

IN THE HOUSE

January 15, 1985	Introduced and referred to Committee on Education and Cultural Resources.
January 22, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
January 25, 1985	Second reading, do pass. Considered correctly engrossed.
January 26, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 28, 1985	Introduced and referred to Committee on Education and Cultural Resources.
February 12, 1985	Committee recommend bill be concurred in. Report adopted.
February 15, 1985	Second reading, concurred in.
February 18, 1985	Third reading, concurred in. Ayes, 47; Noes, 2. Returned to House.

IN THE HOUSE

February 19, 1985	Received from Senate. Sent to enrolling. Reported correctly enrolled.
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1 HOUSE BILL NO. 194
 2 INTRODUCED BY Richard Ziegler, Rita E. Miller
 3 Campbell, M. Hanson, K. K. Stettin, J. K. Stettin
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE
 5 TRUSTEES OF A COUNTY HIGH SCHOOL MAY CALL FOR AN ELECTION ON
 6 WHETHER TO ISSUE BONDS FOR A COUNTY HIGH SCHOOL WITHOUT A
 7 PETITION CALLING FOR SUCH AN ELECTION; AMENDING SECTION
 8 20-9-452, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. Section 20-9-452, MCA, is amended to read:
 12 "20-9-452. Purposes and petition for county high
 13 school bonds. (1) Any county where a county high school that
 14 has not been placed in a high school district is located may
 15 become indebted by the issuance of bonds for the purposes
 16 of:
 17 (a) purchasing or erecting a building or buildings for
 18 high school purposes;
 19 (b) remodeling, enlarging, or repairing a building or
 20 buildings for high school purposes;
 21 (c) purchasing equipment for high school purposes;
 22 (d) purchasing, erecting, or equipping a high school
 23 dormitory or gymnasium;
 24 (e) purchasing a suitable site or sites for such high
 25 school building; or

1 (f) refunding or redeeming any outstanding bonds
 2 originally issued for any of the foregoing purposes.

3 (2) In order to initiate any bonding proposition for
 4 the above purposes:

5 (a) the trustees of a county high school may initiate
 6 and adopt a resolution in accordance with the provisions of
 7 20-9-422 requesting the board of county commissioners to
 8 submit such bond proposition to the qualified electors of
 9 the county; or

10 (b) a petition signed by not less than 20% of the
 11 electors of the county who are qualified under 20-20-301
 12 shall may be presented to the trustees of the county high
 13 school. Such petition shall request the submission of a bond
 14 proposition to the qualified electors of the county and
 15 shall specify the purpose or purposes of the proposed bond
 16 issue and the amount of bonds to be issued. Such petition
 17 shall conform with the petition requirements prescribed in
 18 20-9-423. If the trustees of the county high school approve
 19 a validated petition for a bond proposition, they shall
 20 request the board of county commissioners of the county to
 21 submit such bond proposition to the qualified electors of
 22 the county."

-End-

INTRODUCED BILL

HB 194

HOUSE EDUCATION COMMITTEE

* * * * *

1985 LEGISLATIVE SESSION

COMMITTEE MEMBERS: Dan Harrington, Chairman
 Ralph Eudaily, Vice-Chairman
 Ray Brandewie
 William Glaser
 Joe Hammond
 Tom Hannah
 Ray Harbin
 Roland Kennerly
 Les Kitselman
 John Mercer
 John Montayne
 Richard Nelson
 Jerry Nisbet
 Ray Peck
 Jack Sands
 Ted Schye
 Fred Thomas
 Mel Williams

SECRETARY: Corrinne Reneau-Fay

* * * * *

LEGISLATIVE
RESEARCHER : Andrea Merrill

STATUS SHEET

1985

LEGISLATIVE SESSION

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

H.B.

BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CON- CURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CON- CURRED IN DATE
10	1-7	1-11	1-11	1-11					
11	1-7	1-9	1-11	1-11					
15	1-7	1-9	1-9	1-9					
18	1-7	1-18	2-15			2-15			
71	1-7	1-14	2-15	2-15					
79	1-7	2-4	(TABLED 2-20)						
80	1-7	1-11	1-16			1-16			
99	1-7	1-14	1-16			1-16			
100	1-7	1-9	1-11			w/o rec 1-14			
129	1-10	1-21	1-23	1-23					
144	1-11	1-16	1-21			1-21			
149	1-11	1-16	1-25		Amended 1-25				
194	1-15	1-21	1-21	1-21					
192	1-15	1-23	1-25		Amended 1-25				
188	1-15	1-23	Tabled 1-25						
209	1-16	1-25	1-28	1-28					

Bill Anderson speaking for the Office of Public Instruction voiced support of the bill.

Chip Erdmann from the Montana School Board Association spoke for the bill as it would make consistent the county high schools with other school districts and does not take any of their power away.

Charles Plymale from the Board of Trustees of Broadwater County High School spoke about the handicap of having a petition signed and not realizing that it wasn't good after a certain time period and having to re-do it.

There being no opponents to the bill, Chairman Harrington called for questions and discussions.

DISCUSSION OF H.B. 194: Discussion ensued regarding the basis of designating a high school as "county" as brought out by Rep. Sands and answered by Bill Anderson with the O.P.I. Mr. Anderson said in the beginning they were set up separately and there has been some discussion to unifying them, but the process is lengthy.

Rep. Koehnke closed the hearing on this bill by saying that he could see nothing detrimental in its content.

ACTION ON H.B. 194: Rep. Hammond moved, Rep. Brandewie seconded, that House Bill 194 DO PASS. The motion carried unanimously by voice vote.

ACTION ON H.B. 144: Rep. Mercer made a motion that H.B. 144 be amended as follows:

1. Title, lines 7 and 8.
Following: "PAID"
Strike: remainder of line 7 through "END"
on line 8
Insert: "BY JUNE 1"
2. Title, line 9.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"
3. Page 3, line 17.
Following: "paid"
Strike: "no later than the end"
Insert: "By June 1"
4. Page 5
Following: line 3
Insert: "NEW SECTION. Section 2. Effective date. This act is effective July 1, 1985."

DAILY ROLL CALL

EDUCATION COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date January 21, 1985

NAME	PRESENT	ABSENT	EXCUSED
Dan Harrington	✓		
Ralph Eudaily	✓		
Ray Brandewie	✓		
William Glaser	✓		
Joe Hammond	✓		
Thom Hannah	✓		
Raymond Harbin	✓		
Roland Kennerly		✓	
Les Kitselman	✓		
John Mercer	✓		
John Montavne	✓		
Richard Nelson	✓		
Jerry Nisbet	✓		
Ray Peck	✓		
Jack Sands	✓		
Ted Schye	✓		
Fred Thomas	✓		
Mel Williams	✓		

STANDING COMMITTEE REPORT

JANUARY 21

19 85

MR. SPEAKER

We, your committee on EDUCATION & CULTURAL RESOURCES

having had under consideration HOUSE Bill No. 194

FIRST reading copy (WHITE)
color

ALLOWING COUNTY U.S. TRUSTEES TO CALL BOND ELECTION WITHOUT PETITION

Respectfully report as follows: That HOUSE Bill No. 194

DO PASS

WITNESS STATEMENT

NAME Chip Erdmann BILL No. 194
ADDRESS Helen DATE 1/21/85
WHOM DO YOU REPRESENT MSBA
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

This bill will merely update the school law and allow County H.S. Districts to have a bond election on both a voter petition (already provided for) and resolution of board (not currently provided for). Other school districts are already allowed to do this. This merely gives Co H.S. Districts the same flexibility that other districts already have.

VISITOR'S REGISTER

HOUSE

EDUCATION

COMMITTEE

BILL 194

DATE 1-21-85

SPONSOR KOEHNKE

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CHAIRMAN--BLAYLOCK, CHET
NORMAL SCHEDULE==> SITE: ROOM 402

DAYS: M-W-F

TIME: 1:00-3:00 P.M.

SECRETARY-ROHYANS, JILL

					FISCAL NOTE					
--BILL NO--	REFER DT	HEAR DT	CONSIDER	FURTHER CONSIDER	COMMITTEE ACTION	ORD'D	REC'D	REREFERRED TO COMM	DATE OUT	
HB0010	1/18	1/25	1/25 1/28		CONCUR				1/29 1/28	
HB0011	1/18	1/25	2/6		CONCUR AS AMENDED			EDUCATION	2/08	
HB0011	2/13		2/15	3/25	TABLED 3/25					
HB0018	3/04	3/20	3/25	3/27	CONCUR			EDUCATION	3/27 3/28	
HB0018	3/28		3/29		CONCUR				3/29	
HB0080	1/22	1/28	1/28		CONCUR				1/29 1/28	
HB0099	1/22	1/28	1/28	2/4	CONCUR AS AMENDED				2/05 2/4	
HB0111	1/29	2/11	2/11	3/6	ADVERSE REPORT				3/06	
HB0144	1/28	2/11	2/11		CONCUR AS AMENDED				2/12 2/11	
HB0194	1/28	2/11	2/11		CONCUR				2/12 2/11	
HB0209	2/06	3/08	3/08		CONCUR				3/09 3/8	
HB0211	4/03	4/12	4/12	4/15	CONCUR				4/16 4/15	
HB0267	2/04	2/15	2/15		CONCUR				2/16 2/15	
HB0298	2/07	3/06	3/06		CONCUR AS AMENDED				3/07 3/6	

MINUTES OF THE MEETING
EDUCATION AND CULTURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

February 11, 1985

The eleventh meeting of the Senate Education and Cultural Resources Committee was called to order by the Vice Chairman, Senator Pinsoneault, at 1:05 p.m. in Room 402, State Capitol Building.

ROLL CALL: All members were present except Senator Blaylock, who was excused.

CONSIDERATION OF HOUSE BILL 144: The bill was presented by Helen Williams, Jefferson County Superintendent of Schools and representative of the Association of County Superintendents, for the sponsor, Representative Bob Marks, who was in session (Exhibit #1).

PROPOSERS:

WAYNE BUCHANEN, representing the Montana School Boards Association, spoke in favor of the bill.

BILL ANDERSON, Office of Public Instruction, said OPI supports the bill.

There were no further proponents and no opponents to the bill.

DISCUSSION:

SENATOR McCALLUM asked if the date June 15 instead of June 1 would be better as more tax dollars would have been collected. Mrs. Williams felt that would be a beneficial change.

CONSIDERATION OF HOUSE BILL 194: REPRESENTATIVE KOEHNKE, District 32, sponsor of the bill, stated the bill pertains only to county high schools and provides that the trustees of a county high school may call for an election on whether to issue bonds for a county high school without a petition calling for such an election. He stated as the law stands now a petition signed by 20% of the registered voters had to be obtained before an election. This requirement applies only to county high schools and the bill simply brings the law into conformity with the law affecting all other high schools.

Senate Education and
Cultural Resources Committee
February 11, 1985
Page 2

PROPOSERS:

LINDA FORREY, Broadwater County High School Trustee, stated 20% of the electors in her district is 400 signatures. She feels this requirement is time and money wasted.

WAYNE BUCHANEN, Montana School Boards Association, supported the bill, stating the bill simply corrects language re county high schools, an anachronism which is just left over from other legislative action.

BILL ANDERSON, representing the Office of Public Instruction, urged support of the bill.

HELEN WILLIAMS, County Superintendents Association, supported the bill.

There were no further proposers and no opponents to the bill.

ACTION ON HOUSE BILL 194:

SENATOR McCALLUM moved House Bill 194 BE CONCURRED IN. The motion carried unanimously with Senators Blaylock and Smith absent.

CONSIDERATION OF HOUSE BILL 111: REPRESENTATIVE DAVE BROWN, District 72, sponsor of the bill, stated this bill represents action that wasn't in the special session. It places the 4510 permanent and partime members and employees of the University system under the Veterans Employment Preference Act. He stated there was concern that the work study and youth employment programs would be endangered by the bill. The new language on pages five and six of the bill clarifies that. He emphasized provisions of the bill apply only in a tie-breaker situation.

PROPOSERS: BOB DURKIE, representing the Veterans of Foreign Wars, urged support of the bill.

BILL LINDSAY, representing the American Legion, supported the bill, saying the University system is funded by tax dollars and those employees should comply with the law like the rest of state government.

ROLL CALL

SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 2/11

NAME	PRESENT	ABSENT	EXCUSED
SENATOR PINSONEAULT	✓		
SENATOR BROWN	✓		
SENATOR REGAN	✓		
SENATOR SMITH	✓		
SENATOR HAFLEY	✓		
SENATOR YELLOWTAIL	✓		
SENATOR MAZUREK	✓		
SENATOR FARRELL	✓		
SENATOR McCALLUM	✓		
SENATOR BLAYLOCK, CHAIRMAN	EXCUSED		

STANDING COMMITTEE REPORT

February 11, 1935

MR. PRESIDENT

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration HOUSE BILL No. 194

third reading copy (blue)
color

(Senator McCallum will carry the bill.)

ALLOWING COUNTY H.S. TRUSTEES TO CALL BOND ELECTION WITHOUT PETITION

Respectfully report as follows: That HOUSE BILL No. 194

BE CONCURRED IN

~~DO PASS~~

~~DO NOT PASS~~

Senator Chet Blaylock,

Chairman.